

CRIMINAL DOCKET
UNITED STATES DISTRICT COURT

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Luther Vernon Francis, Elizabeth Francis, Robert Lee Alexander, Earnest Dean Sanders, Roy Birmingham, Gene Manuel, Charlie Smith, Joan Chiles, Ardie Ray Roberts, N J Johnson, James Kenneth Mays, Troy Newton, and John Lee Johnson, TRUE NAMES: Roy Milton Birmingham Elmer Gene Manuel JoAnn Chiles Elizabeth Ann Francis	For U. S.: Hubert H. Bryant Ben F. Baker For Defendant: Sanders - O. B. Graham Birmingham- T. B. Hendrix Charlie Smith-Ainslie Perrault Roberts-Dobie Langenkamp Smith--Ainslie-Perrault, Jr. Waldo Jones II, Manuel-- David-Thornton--N.J. Johnson David M. Thornton-Troy Newton

Ans Woodmaster (appt)

Requies 4-28
J.S. 2 mailed 2-28-70
Ans (2) 5-31
J.S. 3 mailed
Violation Narcotics
Title 21 U.S.C , 174;
26 U.S.C., 4705(a)
Sec. and 7327(b)
10 7-237(b)
11 7-237(b)
12 7-237(b)
13 7-237(b)

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
Clerk	Marshal		N.J. Johnson-Pat Malloy John Lee Johnson-David Thornt JoAnn Chiles-Tom Mason Luther & Eliz. Francis-Robt ButlerBrown KXShaphard Robert L. Butler(Francis" Roy Birmingham-Theodric B. Hendrix Luther Francis,-O.B. Graham Rick Loewenherz (appt for Elmer Gene Manuel) Luth. Francis-FrankGreer(appt Eliz. Francis-Jms. Langley(Ap		

DATE	PROCEEDINGS
2-24-70	Indictment, filed in open court. h
2-24-70	Record vote of the grand jury, filed in open court. h
2-24-70	Minute Order: Bonds of the defendants Luther Vernon Francis, Robert Lee Alexander, Earnest Dean Sanders, Roy Birmingham, Gene Manuel, Chrlie Smith, Ardie Ray Roberts, N.J. Johnson, James Kenneth Mays, Troy Newton and John Lee Johnson are set in the amount of \$50,000, and the bonds of the defendants Elizabeth Francis, J Joan Chiles are set in the amount of \$35,000.(Allen E Barrow-J)h
2-24-70	Warrants for the arrest of the defendants issued. h
3-3-70	Warrant for arrest of Earnest Dean Sanders, returned & filed, arrested 2-26-70 at Okla. City. g
3-4-70	Warrants for arrest of Roy Birmingham and Ardie Ray, Roberts, executed, returned & filed. g
3-6-70	Defendant, Charlie Smith's affidavit and order appointing Ainslie Perrault, Jr., attorney, filed. (BBB-Commr.) b
3-6-70	Petition for Writ of Habeas Corpus Ad Prosequendum(Manuel). filed. js
3-6-70	OrderGranting Writ of Habeas Corpus Ad Prosequendum(AEB-J)filed. js
3-6-70	Writ of Manuel Issued. js
3-6-70	Petition for Writ of Habeas Corpus Ad Prosequendum(Alexander) filed. js
3-6-70	Order Granting Writ of Habeas Corpus Ad Prosequendum(AEB-J)filed. js
3-6-70	Writ of Alexander Issued. js

DATE	PROCEEDINGS
3-10-70	Deft. Affidavit & Order Appointing Counsel(<u>Ardie Ray Roberts</u>)filed. js
3-11-70	Ordered that Indictment be unsealed. (Heretofore ordered sealed on 2-24-70.)(AEB-J)m
3-12-70	Defendant <u>Earnest Dean Sanders</u> present in person and represented. Defendant arraigned and enters pleas of GUILTY as to Cts. 1&2 of the Indictment, and is adjudged GUILTY as charged in Cts. 1&2. Petition to enter plea of Guilty approved and filed in open court. Defendant's oral request for reduction of bond denied, and defendant granted leave to visit family in USM office. (AEB-J)h
3-16-70	Appearance bond of defendant N.J. Johnson in amt. of \$20,000 filed. h Surety- Resolute Ins. Co.
3-16-70	Deft's Affidavit & Order Appointing Counsel (<u>Manuel</u>), filed. js
3-20-70	Acknowledgment by defendant Robert Lee Alexander of receipt of information from court appointed attorney for dedendant, filed. ds
3-20-70	Return on final commitment filed. Executed by committing Charlie Smith to Tulsa County Jail, Tulsa, Oklahoma, on 3-1-70. ds
3-20-70	Return on warrant for arrest of defendant, filed. Executed by arresting <u>Charlie Smith</u> at Oklahoma City, Okla and bringing him to Tulsa, Oklahoma and committing him to the Tulsa County Jail on 3-1-70. ds
3-20-70	Return on writ of habeas corpus ad prosequendum, filed. Executed by taking <u>Robert Lee Alexander</u> into custody at Granite Oklahoma on 3-13-70, and transporting him to the Oklahoma City jail for further transfer. Further executed by delivering him to Tulsa, Oklahoma on 3-14-70, to Tulsa County jail. ds
3-24-70	Return on warrants for arrest, filed. Arrested <u>Troy Newton</u> at Mt. Pleasant, Texas on 2-27-70, and arraigned him before Mrs. <u>Leon Hicks</u> , JP of Smith Co. Texas. (\$34.20) Arrested <u>Elizabeth Francis</u> at Mt. Pleasant, Texas on 3-16-70. (\$20.08) Arrested <u>Jo Ann Chiles</u> at Mt. Pleasant, Texas, on 3-16-70. (\$4.00) Arrested <u>John Lee Johnson</u> at Mt. Pleasant, Texas, on 3-16-70. (\$19.08) Arrested <u>Luther Vernon Francis</u> at Mt. Pleasant, Texas, on 3-18-70. (\$3.00). ds
3-25-70	Defendants Roy Birmingham(True name-Roy Milton Birmingham), Gene Manuel(True name: Elmer Gene Manuel, Charlie Smith, Ardie Ray Roberts, N.J. Johnson, Troy Newton, John Lee Johnson, Joan Chiles (True name: JoAnn Chiles, Luther Vernon Francis and Elizabeth Francis each present in person and each represented by court appointed counsel; each arraigned and advised as to the charges, and each enters pleas of <u>NOT GUILTY</u> as to Cts. 1&2, and cases as to each defendant is to be set on next jury docket, and defendants granted 10 days in which to file motions.(AEB-J)h
3-26-70	Defendant <u>Robert Lee Alexander</u> present in person and represented. Defendant arraigned, Indictment read, and defendant enters pleas of GUILTY to Cts. 1&2, and is adjudged GUILTY as charged, and sentence deferred. (AEB-J)h
3-26-70	Motion of <u>Elizabeth Francis</u> to reduce bail, with affidavit attached, filed.
3-26-70	Motion of defendant, <u>Luther Vernon Francis</u> , to reduce bail, with affidavit attached, filed. b
3-27-70	Warrant of removal on indictment of <u>John Lee Johnson</u> from EDof Texas, filed.b
3-27-70	Warrant of removal on indictment of <u>Luther Vernon Francis</u> from EDofT., filed.b
3-27-70	Warrant of removal on indictment of <u>Luther Vernon Francis</u> from EDofT., filed.
3-27-70	Warrant of removal on indictment of <u>Elizabeth Ann Francis</u> from EDofT., filed.
3-27-70	Warrant of removal on indictment of <u>Jo Ann Chiles</u> from EDofT., filed. b
3-27-70	Warrant of removal on indictment of <u>Troy Newton</u> from EDofT., filed. b
3-27-70	Motion for bill of particulars, of <u>Ardie Ray Roberts</u> , filed. ds
3-27-70	Brief in support of motion for bill of particulars of <u>Ardie Ray Roberts</u> , filed. ds

Continued

ds

DATE	PROCEEDINGS
3-31-70	Warrant for arrest of defendant, Robert Lee Alexander, returned filed - executed by arresting Robert Lee Alexander at Tulsa, Oklahoma on 3-17-70 and taking him before Commr. Bradford and committed to Tulsa County, jail. b
4-2-70	Motion to discover and inspect filed by defendant, <u>Charlie Smith</u> . ds
4-2-70	Motion to disclose witnesses for the government who will appear at the time of trial, filed by defendant, <u>Charlie Smith</u> . ds
4-2-70	Motion of defendant, <u>Charlie Smith</u> , for the production of evidence favorable to the accused, filed. ds
4-2-70	Motion for disclosure of matters occurring before the Grand Jury, filed by defendant, <u>Charlie Smith</u> . ds
4-1-70	Case set for sentence as to deft. <u>Earnest Dean Sanders</u> on Tuesday, 4-7-70 at 10:00 a.m. (AEB-J)m
4-3-70	Motion to dismiss of deft. <u>Charlie Smith</u> , filed. m
4-3-70	Ordered that defts. <u>Elizabeth Francis</u> and <u>Luther Francis</u> are granted 5 additional days to file motions. (AEB-J)m
4-6-70	Motion For Disclosure of Matters Occuring before the Grand Jury, (<u>Joan Chiles</u>) filed. js
4-6-70	Motion for the Production of Evidence Favorable to the Accused, (<u>Joan Chiles</u>) filed. js
4-6-70	Motion to Disclose Witnesses of the Government who will appear at time of Trial (<u>Joan Chiles</u>) filed. js
4-6-70	Motion to Discover and Inspect (<u>Joan Chiles</u>) filed. js
4-7-70	Defendant <u>Earnest Dean Sanders</u> present in person and represented.
	Judgment and Sentence- <u>Earnest Dean Sanders</u> (25)
	Ct. 1- Atty Gen- 5 yrs.
	Ct. 2- Atty Gen- 5 yrs., sentence imposed
	in Ct. 2 shall run concurrently with sentence imposed in Ct. 1 (AEB-J)h
4-7-70	Order of J&C filed & entered. (AEB-J)h
4-7-70	Two c.c. of above delivered to USM.h
4-8-70	Motion of <u>Roey Milton Birmingham</u> for reduction of bail bond, filed. b
4-8-70	Response in opposition to motions of deft <u>Charlie Smith</u> , filed. m
4-8-70	Response in opposition to motions of deft. <u>Joan Chiles</u> , filed. m
4-9-70	Motion of deft. <u>Joan Chiles</u> to reduce bond, filed. m
4-10-70	Response to Motion for Bill of Particulars, (<u>Ardie Roberts</u>) filed. js
4-10-70	Response to Motion to Dismiss (<u>Charlie Smith</u>) filed. sj
4-10-70	General Appearance, by O.B. Graham for <u>Luther Vernon Francis</u> , filed. js
4-10-70	Motion of defts. <u>Luther Vernon Francis</u> and <u>Elizabeth Francis</u> for reduction of bond, filed. m
4-10-70	Motion of defts. <u>Luther Francis</u> and <u>Eliz. Francis</u> for disclosure of matters occurring before the Grand Jury, filed. m
4-10-70	Motion of deft. <u>Eliz. Francis</u> for bill of particulars, filed. m
4-10-70	Motion of defts. <u>Luther Francis</u> and <u>Eliz. Francis</u> for the production of evidence favorable to the accused, filed. m
4-10-70	Motion of defts. <u>Luther</u> and <u>Eliz. Francis</u> to discover and inspect, filed. m
4-10-70	Motion of defts. <u>Luther</u> and <u>Eliz. Francis</u> to disclose witnesses of the govt. who will appear at the time of trial, filed. m
4-13-70	Motion for severance of deft. <u>Elmer Gene Manuel</u> , filed. m
4-13-70	Motion to discover and inspect of deft. <u>Manuel</u> , filed. m
4-13-70	Motion to disclose witnesses of the govt. who will appear at the time of trial of deft. <u>Manuel</u> , filed. m
4-13-70	Motion for the production of evidence favorable to the accused of deft. <u>Manuel</u> , filed. m
	(over)

DATE	PROCEEDINGS
4-10-70	Motion of deft. <u>Elmer Gene Manuel</u> for disclosure of matters occurring before the Grand Jury, filed. m
4-13-70	Response in opposition to motions of defendant, filed. ds
4-13-70	Withdrawal of O. B. Graham of general appearance as counsel for defendant, filed. b
4-14-70	Motion of defendant, <u>Elmer Gene Manuel</u> , to dismiss count 2, filed. ds
4-13-70	Response in opposition to motions of deft. <u>Elmer Gene Manuel</u> , filed. m
4-13-70	Response to <u>Elmer Gene Manuel's</u> motion for severance, filed. m
4-13-70	Response to motion of Elizabeth Francis for bill of particulars, filed. m
4-14-70	Plaintiff's response to motion of <u>Elmer Gene Manuel</u> to dismiss Count Two, filed. b
4-14-70	Response to defts' <u>Chiles</u> , Birmingham, Luther and Eliz. Francis' motion for reduction of bail, filed. m
4-14-70	CC of J & C as to Earnest Dean Sanders returned, filed - executed by delivering defendant to Tulsa County Jail 2-26-70 and to U. S. Penitentiary at Leavenworth, Kansas on 4-11-70. b
4-14-70	Motion of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> to disclose witnesses for the government who will appear at the time of trial. filed. h (Thornton)
4-14-70	Motion of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> to discover and inspect. filed. h
4-14-70	Motion of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> for inspection of Grand Jury Records and proceedings filed. h
4-14-70	Motion of defendant <u>Troy Newton</u> and <u>John Lee Johnson</u> for the production of evidence favorable to the accused filed. h
4-14-70	Motion of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> for Bill of Particulars filed. h
4-14-70	Brief in support of above motion filed. h
4-15-70	Response in opposition to motions of defts <u>Troy Newton</u> and <u>John Lee Johnson</u> , filed in open court. m
4-15-70	Hearing held on motions as to defendants <u>Troy Newton</u> , <u>John Lee Johnson</u> , <u>Luther Vernon Francis</u> , <u>Elizabeth Francis</u> , <u>Elmer Gene Manuel</u> , <u>Joan Chiles</u> , <u>Roy Milton Birmingham</u> , <u>Ardie Ray Roberts</u> , and <u>Charlie Smith</u> . Each defendant present in person and each represented. The government represented by Hubert H. Bryant. Defendant <u>Troy Newton</u> represented by David M. Thornton. (Appt.)
	Motion to disclose witnesses - Overruled.
	Motion to discover and inspect - Moot.
	Motion for inspection of Grand Jury Records - Overruled.
	Motion for the production of evidence - Moot.
	Motion for Bill of Particulars - Overruled in part - sustained in part.
	Defendant granted leave to file motion for reduction of bond.
	Defendant <u>John Lee Johnson</u> represented by David M. Thornton. (Appt.)
	Motion to disclose witnesses for the government - overruled.
	Motion to discover and inspect - Moot.
	Motion for Inspection of Grand Jury Records - Overruled.
	Motion for the Production of evidence - Moot.
	Motion for Bill of Particulars - Sustained in part - overruled in part.
	Defendant granted leave to file motion for reduction of bond.
	Defendant <u>Luther Vernon Francis</u> represented by Robt. Butler. (Appt.)
	Motion for reduction of bond - overruled, but defendant allowed to consolidate bonds in this case and 70-CR-50.
	Motion to disclose matters occurring before Grand Jury - Overruled.
	Motion for production of evidence - moot
	Motion to discover and inspect - Moot.
	Motion to disclose witnesses of the government - overruled.
	Motion for Bill of particulars - overruled.
	Motion to reduce bond - overruled. (Continued)

DATE	PROCEEDINGS
4-15-70	<p>Defendant <u>Elizabeth Francis</u> represented by Robt. Butler (Appt.) Motion for reduction of bond - overruled. Motion for disclosure of matters occurring before the Grand Jury - overruled Motion for the production of evidence - Moot. Motion to discover and inspect - moot. Motion to disclose witnesses of the government - overruled. Motion for Bill of Particulars - overruled. Defendant <u>Elmer Gene Manuel</u> represented by Waldo E. Jones, II. (Appt.) Motion for severance - overruled. Motion to discover and inspect - moot Motion to disclose witnesses of the government - overruled Motion for the production of evidence favorable to the accused - Moot Motion for disclosure of matters occurring before the Grand Jury-Overruled Motion to dismiss Ct. 2 - Overruled Defendant <u>Joan Chiles</u> - represented by Tom Mason (Appt.) Motion for disclosure of matters occurring before the Grand Jury-Overruled Motion for the production of evidence favorable to the accused - Moot Motion to disclose witnesses - overruled. Motion to discover and inspect - moot Motion to reduce bond - overruled. Defendant <u>Roy Milton Birmingham</u> represented by T. B. Hendrix (Appt.) Motion for reduction of bail bond overruled - but grants leave for defendant to consolidate bond in this case with bond in 70-CR-51 Defendant <u>Ardie Ray Roberts</u> represented by Dobie Langenkamp (Appt.) Motion for Bill of Particulars - sustained in part - overruled in part. Defendant <u>Charlie Smith</u> represented by Ainslie Perrault (Appt.) Motion to discover and inspect - Moot Motion to disclose witnesses for the government - overruled Motion for the production of evidence favorable to the accused - moot Motion for disclosure of matters occurring before the Grand Jury-Overruled Motion to dismiss - overruled.</p>
4-17-70	<p>(Allen E. Barrow-Judge) ds Notice of appeal by <u>Ernest Dean Sanders</u>, filed. g cpy to USCA & US Atty.</p>
4-21-70	Motion of defendant <u>John Lee Johnson</u> for reduction of bond, filed. b
4-21-70	Motion of defendant <u>Troy Newton</u> for reduction of bond, filed. b
4-21-70	<p>Defendant <u>Ardie Ray Roberts</u> present in person and represented. Defendant withdraws his pleas of Not Guilty as to Cts. 1&2 and enters pleas of GUILTY as to Cts. 1&2 and is adjudged GUILTY as charged in Cts. 1&2 and sentence is passed to Tuesday, May 5, 1970 at 10:00 A.M. Petition to withdraw a plea of Not Guilty and enter a plea of Guilt filed in open court. (AEB-J)h</p>
4-23-70	Motion to Appeal in Forma Pauperis, filed. js to Ernest D. Sanders,
4-23-70	Affidavit in Forma Pauperis, , Order granting Pauperis/(AEB-J), filed. js
4-27-70	Case set for hearing on Motion for reduction of bond as to defendant <u>John Lee Johnson</u> on <u>Tues. May 5, 1970</u> at 10:00 A.M. (D. Thornton) (AEB-J)h
4-27-70	Order filed that motion of <u>Ernest Dean Sanders</u> be authorized to prosecute an appeal in forma pauperis granted, at expense of USA. (AEB-J)h
5-1-70	Case stricken from docket of 5-5-70 as to defendant <u>Ardie Ray Roberts</u> , and passed for sentence. (AEB-J)h
5-5-70	Bond of the defendant <u>L.D. Mayberry</u> reduced from \$50,000 to \$10,000 and motion for delay of sentence granted for a period of 60 days. (AEB-J)h
5-5-70	Case set for Jury Trial as to <u>Luther Vernon Francis</u> , <u>Elizabeth Francis</u> , <u>Roy Birmingham</u> , <u>Elmer Gene Manuel</u> , <u>Charlie Smith</u> , <u>N.J. Johnson</u> , <u>Troy Newton</u> , <u>John Lee Johnson</u> on <u>Monday, 5-25-70</u> at 9:30 A.M. (AEB-J)h and <u>Joan Chiles</u>

(over)

DATE	PROCEEDINGS
5-7-70	Case stricken from jury assignment of 5-25-70 as to Luther Vernon Francis, Elizabeth Francis, Roy Birmingham, Elmer Gene Manuel, Charlie Smith, N.J. Johnson, Troy Newton, John Lee Johnson & Joan Chiles. (AEB-J)m
5-7-70	Case set for sentence as to defendant <u>Ardie Ray Robert</u> on 5-13-70 at 9:30am before Judge Bohanon. (AEB-J)h
5-8-70	Motion of Earnest Dean Sanders for bail pending appeal, filed. e
5-8-70	Petition for writ of habeas corpus ad testificandum as to Troy Walter Beck, filed. ds
5-8-70	Order granting writ of habeas corpus ad testificandum, filed. (AEB-J) ds Writ issued.
5-13-70	Defendant <u>Ardie Ray Roberts</u> present and represented. Deft. and Counsel asked if they have anything to say.
	Judgment and Sentence - Ardie Ray Roberts
	Count One - Atty. Gen. - Ten (10) Years
	Count Two - Atty. Gen. - Ten (10) Years, to run concurrently with sentence imposed in Count One.
	It IS FURTHER ADJUDGED that the sentence imposed in this case is to run concurrently with the sentence imposed in 70-CR-39.
	It is the request of the Court that the deft. be given the medical care necessary at the institution where he is confined. (LB-J)m
5-13-70	Judgment and Commitment, filed, and entered. (LB-J)m
5-13-70	Two c/c of J&C delivered to U. S. Marshal. m
5-14-70	✓ Order denying bail pending appeal, filed. (AEB-J) ds - Earnest Dean Sanders
5-14-70	Motion of defendant, <u>Elizabeth Francis</u> , for permission to make bond, filed. ds
5-14-70	Motion of defendant, <u>Luther Vernon Francis</u> , for permission to make bond filed. ds
5-15-70	Hearing held. Motions of defendants <u>John Lee Johnson</u> and <u>Troy Newton</u> for Reduction of Bond are each sustained. Bond of defendant John Lee Johnson reduced from \$50,000 to \$10,000 Cash or Surety. Bond of defendant Troy Newton reduced from \$50,000 to \$12,000 Cash or Surety. (AEB-J)h
5-19-70	Petition for writ of habeas corpus ad testificandum, filed. m
5-19-70	Order granting writ of habeas corpus ad testificandum, ^(Lujan) filed. (AEB-J)m Writ issued.
5-21-70	Defendants <u>Luther Vernon Francis</u> and <u>Elizabeth Francis</u> each present in person and each represented. Motion of defendants for permission to make bond
5-25-70	is granted and bonds of each defendant set in the amt. of \$25,000, property. (AEB-J) Transcript of proceedings on arraignment & plea of <u>Earnest Dean Sanders</u> , filed. (LEM Rptr.)g
5-25-70	Transcript of proceedings on sentencing of <u>Earnest Dean Sanders</u> , filed. g
5-25-70	Appeal record (orig. + 3 copies) on <u>Earnest Dean Sanders</u> forwarded to USCA. g
5-27-70	Minute Order: Bond of defendant <u>Luther Vernon Francis</u> set in the amt of \$10,000. (AEB-J)h
6-3-70	Writ of habeas corpus ad testificandum returned, filed - Joe Andres Lujan delivered to U. S. Marshal at Tulsa, Okla. 5-22-70. b
6-3-70	Subpoena duces tecum returned, filed - served William Frost at Tulsa 4-24-70.
6-3-70	U.S. Subpoena returned, filed - served Leonard Cecil Jones at Tulsa 5-22-70.
6-3-70	U.S. Subpoena returned, filed - served Ernest Brown at Tulsa, Ok., 5-22-70
6-3-70	Case set for Jury Trial Monday, June 22, 1970 at 9:30 A.M. XXXXXX , as to defendants, Gene Manuel, Charlie Smith, JoAnn Chiles, N. J. Johnson, Troy Newton, John Lee Johnson. (AEB-J)v
6-8-70	Change of Plea as to Joan Chiles, set for June 16, 1970. (AEB-J)v
6-5-70	Defts. <u>Luther Vernon Francis</u> , <u>Elizabeth Francis</u> and <u>Roy Milton Birmingham</u> each present. Luther & Eliz. Francis represented by Robert Butler; Roy M. Birmingham represented by T. B. Hendrix, Ct. Appt. counsel. Each deft. with-
	draws pleas of Not Guilty as to Cts. 1&2 & enters pleas of GUILTY to each of

(continued)

DATE	PROCEEDINGS
	<p>Cts. 1&2 and each deft. is adjudged GUILTY as charged in Cts. 1&2. Waiver of jury as to each deft. signed, approved & filed in open court. Deft. Elizabeth Francis pleads true name as <u>Elizabeth Ann Francis</u>. Defts. each sentenced:</p> <p>Judgment and Sentence - <u>Luther Vernon Francis</u> (Age 26) Count One - Eight (8) Years Count Two - Eight (8) Years, to run concurrently with the sentence imposed in Count One. The Court recommends that the deft. be committed to an institution where he can receive treatment for drug addiction.</p> <p>Judgment and Sentence - <u>Elizabeth Ann Francis</u> (Age 30) Count One - Eight (8) Years Count Two - Eight (8) Years, to run concurrently with the sentence imposed in Count One.</p> <p>Judgment and Sentence - <u>Roy Milton Birmingham</u> (Age 37) Count One - Ten (10) Years Count Two - Ten (10) Years, to run concurrently with the sentence imposed in Count One. The Court recommends that the deft. be committed to an institution where he can receive treatment for drug addiction. (AEB-J)m</p> <p>6-5-70 Judgment and Commitment as to Luther Vernon Francis, filed and entered. (AEB-J)m</p> <p>6-5-70 Judgment and Commitment as to Elizabeth Ann Francis, filed and entered. (AEB-J)m</p> <p>6-5-70 Judgment and Commitment as to Roy Milton Birmingham, filed and entered. (AEB-J)m</p> <p>6-5-70 Two c/c of J&C's of Luther Francis, Eliz. Francis & Roy M. Birmingham delivered to U.S. Marshal. m</p> <p>6-9-70 Notice of appeal of <u>Roy Milton Birmingham</u>, filed. Copies mailed to Nathan G. Graham, U. S. Attorney and CCofA. b</p> <p>6-11-70 Motion of <u>Roy Milton Birmingham</u> for leave to appeal in forma pauperis, filed. g</p> <p>6-11-70 Affidavit of Roy Milton Birmingham in support of motion to appeal in forma pauperis, filed. g</p> <p>6-11-70 Application of Roy Milton Birmingham for appeal bond, filed. g</p> <p>6-12-70 CC J & C as to Ardie Ray Roberts returned, filed - defendant delivered to Tulsa County Jail on 5-13-70 and to U. S. Pen at Leavenworth, Kas. on 6-6-70.</p> <p>6-12-70 Writ of habeas corpus ad testificandum returned, filed - Troy Walter Beck delivered to U. S. Marshal, Tulsa, Okla. on 5-8-70 from U. S. Medical Center, Springfield, Mo. and returned him to the U. S. Pen at Leavenworth, Kansas on 6-6-70. b</p> <p>6-15-70 Order granting Roy Milton Birmingham leave to appeal in forma pauperis, filed. (AEB-J)g</p> <p>6-15-70 Order for transcript of proceedings re Birmingham at govt. expense, filed. (AEB-J)g cc to Larry Marks. g</p> <p>6-15-70 Appeal bond of Roy Milton Birmingham set at \$50,000.00 (consolidated with 70-CR-51) (AEB-J)g</p> <p>6-16-70 Ordered by the Court that Rick Loewenherz is appointed to represent <u>Elmer Gene Manuel</u> and Waldo E. Jones, II is relieved of further responsibility. (Allen E. Barrow - Judge) b</p> <p>6-16-70 Order appointing Rick Loewenherz to represent Elmer Gene Manuel, filed. (Allen E. Barrow - Judge)</p>

(Continued on Page No. 8, Sheet No. 4)

(Sheet No. 4)

DATE	PROCEEDINGS
6-16-70	Motion of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> for production of witnesses, filed. b
6-16-70	Defendant <u>Joe Ann Chiles</u> present in person and represented. Defendant withdraws request for change of plea, and case to remain on jury docket of 6-22-70. (AEB-J)h
6-17-70	Minute Order: It is ordered that the motions of defendants <u>Troy Newton</u> and <u>John Lee Johnson</u> for production of witnesses be withdrawn and said defendants granted until 6-18-70 in which to file motion supported with brief. (AEB-J)h
6-23-70	Petition of <u>Charlie Smith</u> for writ of habeas corpus ad testificandum for <u>Luther Vernon Francis</u> , filed. Writ issued by Frank G. Theis, Judge. b
6-22-70	Case tried to a jury as to defendants <u>Elmer Gene Manuel</u> , <u>Charlie Smith</u> , <u>Jo Ann Chiles</u> , <u>N. J. Johnson</u> , <u>Troy Newton</u> and <u>John Lee Johnson</u> on June 22, 23, 24, 25 and 26, 1970. Verdicts returned finding the said defendants GUILTY as charged in each of Counts 1 and 2, Verdicts ordered received, read and filed in open court. Jurors polled at request of the defendants and all answer "Yes" as to "Is that your verdict. New bonds fixed at \$50,000.00 each. Clerk is to approve the bonds. Jury discharged. Defendants committed to the custody of the U. S. Marshal. Instructions filed in open Court. (Frank G. Theis-Judge) (Don Gibson-CSR) b
6-26-70	Verdict as to <u>Elmer Gene Manuel</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	Verdict as to <u>Charlie Smith</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	Verdict as to <u>Jo Ann Chiles</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	Verdict as to <u>N. J. Johnson</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	Verdict as to <u>Troy Newton</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	Verdict as to <u>John Lee Johnson</u> finding defendant GUILTY as to Cts. 1 & 2, filed. b
6-26-70	The Courts instructions, filed. (Frank G. Theis, Judge) b
6-26-70	Trial exhibits, filed in open court. b
6-29-70	CC of J & C returned, filed - Roy Milton Birmingham delivered to Tulsa County Jail on 6-5-70 and to U. S. Penitentiary at Leavenworth, Kansas, on 6-20-70. b
6-29-70	Four (4) U. S. subpoenas returned, filed - served Fatha Kay Folsom, Leonard Cecil Jones, Robert Lee Alexander and L. D. Mayberry, each personally. b
6-29-70	Three (3) U. S. subpoenas returned, filed - served Stanford Elmer Johnson, Ernest Palmer Brown, and Luvena Cato, each personally. b
6-29-70	Writ of habeas Corpus ad testificandum returned, filed - <u>Luther Vernon Francis</u> taken into custody on 6-23-70 at Federal Reformatory at El Reno, Okla., on 6-23-70 and delivered to Tulsa, U. S. District Court and returned on 6-28-70. b
6-29-70	CC of J & C returned, filed - <u>Elizabeth Ann Francis</u> to Tulsa County Jail on 6-5-70 and to Federal Reformatory at Alderson, W.V. on 6-14-70. b
6-29-70	U. S. Subpoena to produce documents returned, filed - served W. J. Abrams, personally at Tulsa, Okla. b
6-29-70	Subpoena to produce documents returned, filed - served Herb Walker, personally at Tulsa, Okla. on 6-16-70. b
6-29-70	Subpoena to produce documents returned, filed - served Jerry Swagger, at Los Angeles, Calif., personally on 6-18-70. b

(Continued on Page No. 9, Sheet No. 5)

D. C. 109 A
CRIMINAL DOCKET

Sheet No. 5

DATE	PROCEEDINGS
7-1-70 7-1-70	Subpoena returned, served John Hubert Thompson in Los Angeles, 6-24-70.g J & C returned & filed: Luther Vernon Francis delivered to Federal Correctional Institute, El Reno, Okla. on 6-10-70. g
7-2-70	Deft. Robert Lee Alexander present and represented. Govt. moves for dismissal of Cts. 1&2 of the indictment and dismissal of indictment as to Robert Lee Alexander signed and filed in open court. (AEB-J)m
7-2-70	Dismissal of Indictment as to <u>Robert Lee Alexander</u> , filed in open court and entered. (AEB-J)m
7-13-70	Notice of Appeal of Roy Milton Birmingham, filed. ds
7-13-70	Motion to appeal in forma pauperis with affidavit in support, filed. ds
7-13-70	Certificate of appeal of Roy Milton Birmingham, filed. ds
7-27-70	Order overruling motion pursuant to Rule 35 filed. (Luther Vernon Francis) (copies mailed) (AEB-J)h
7-27-70	Order Overruling motion of <u>Elizabeth Francis</u> pursuant to Rule 35 filed. (copies mailed) (AEB-J)h
7-18-70	Order extending time to 9-7-70 to docket appeal of <u>Roy Milton Birmingham</u> , filed. (AEB-J)g cpy to USCA & US Atty.
7-27-70	Application for bail made pursuant to the bail reform Act of 1966, 18 USC. Sect. 3146 & Rule 46 Fed. Rules of Crim. Procedure, filed. v
7-27-70	Dismissal of Indictment as to defendant <u>James Kenneth Mayes</u> filed and entered. (Allen E. Barrow-Judge)h
8-10-70	Defendants, Elmer Gene Manuel, Charlie Smith, Jo Ann Chiles, N. J. Johnson, Troy Newton and John Lee Johnson, present in person and each represented by court appointed counsel. Government represented by Ben Baker. Information as to Charlie Smith being a second offender, filed in open Court. Statements made on behalf of the defendants: Judgment and Sentence - <u>Elmer Gene Manuel</u> Count One - Ten (10) Years Count Two - Ten (10) Years, concurrently with Count One. Sentence imposed in this case shall begin at the expiration of the sentence he is now serving in the Oklahoma State Penitentiary at McAlister, Oklahoma. Judgment and Sentence - <u>Charlie Smith</u> Count One - Eight (8) Years. Count Two - Eight (8) Years, concurrently with Count One. Defendant is given credit for the time he has been in custody. Judgment and Sentence - <u>Jo Ann Chiles</u> Count One - Eight (8) Years. Count Two - Eight (8) Years, concurrently with Count One. Defendant is given credit for the time she has been in custody. Judgment and Sentence - <u>N. J. Johnson</u> Count One - Fifteen (15) Years. Count Two - Fifteen (15) Years, concurrently with Count One. Defendant is given credit for the time he has been in custody. Judgment and Sentence - <u>Troy Newton</u> Count One - Eight (8) Years. Count Two - Eight (8) Years, concurrently with Count One. Defendant is given credit for the time he has been in sustody.

(Continued on Page 10, Sheet 5)

DATE	PROCEEDINGS
	<p>Judgment and Sentence - <u>John Lee Johnson</u></p> <p>Count One - Eight (8) Years.</p> <p>Count Two - Eight (8) Years, concurrently with Count One.</p> <p>Defendant is given credit for the time he has been in custody.</p> <p>Each of the defendants Elmer Gene Manuel, Charlie Smith, Jo Ann Chiles, N. J. Johnson, Troy Newton and John Lee Johnson, were advised as to their right to appeal within 10 days or 10 days after ruling on motion on the judgment.</p> <p>(Frank G. Theis - Judge) (Don Gibson-CSR)</p>
8-10-70	Judgment and Commitment as to Elmer Gene Manuel, filed and entered. (Frank G. Theis, Judge) b
8-10-70	Judgment and Commitment as to Charlie Smith, filed and entered. (Frank G. Theis, Judge) b
8-10-70	Judgment and Commitment as to Jo Ann Chiles, filed and entered. (Frank G. Theis, Judge) b
8-10-70	Judgment and Commitment as to N. J. Johnson, filed and entered. (Frank G. Theis, Judge)
8-10-70	Judgment and Commitment as to Troy Newton, filed and entered. (Frank G. Theis, Judge)
8-10-70	Judgment and Commitment as to John Lee Johnson, filed and entered. (Frank G. Theis, Judge)
8-10-70	Two c. c. of each of the above J & C delivered to the U. S. Marshal. b
8-11-70	Order overruling application of Roy Milton Birmingham to have bail set and to be released on bail pending appeal filed. (AEB-J)h copies mailed.h
8-14-70	Notice of Appeal for <u>Charlie Smith</u> , filed. v (Cpy to USCA & US Atty.)
8-14-70	Notice of appeal of <u>N. J. Johnson</u> , (Pro Se) filed. ds
8-14-70	Notice of appeal of <u>Troy Lee Newton</u> , (Pro Se) filed. ds
8-14-70	Notice of appeal of <u>Elmer Gene Manuel</u> , (Pro Se) filed. ds
8-14-70	Notice of appeal of <u>John Lee Johnson</u> (Pro Se) filed. ds
8-14-70	Notice of appeal of <u>Charlie Smith</u> , (Pro Se) filed. ds
8-19-70	Notice of appeal by <u>Jo Ann Chiles</u> , filed. g (cpy to USCA & US Atty)
8-19-70	Motion for leave to appeal in forma pauperis, filed. g
8-19-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-19-70	Notice of appeal by <u>John Lee Johnson</u> , filed. (cpy to USCA & US Atty)
8-19-70	Motion for leave to appeal in forma pauperis, filed. g
8-19-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-18-70	Notice of appeal by <u>N. J. Johnson</u> , filed. (cpy to USCA & US Attorney)g
8-18-70	Motion for leave to appeal in forma pauperis, filed. g
8-18-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-19-70	Notice of appeal by <u>Elmer Gene Manuel</u> , filed. (Cpy to USCA & US Atty.)g
8-19-70	Motion for leave to appeal in forma pauperis, filed. g
8-19-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-19-70	Notice of appeal by <u>Troy Newton</u> , filed. (Cpy to USCA & US Atty.)g
8-19-70	Motion for leave to appeal in forma pauperis, filed. g
8-19-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-18-70	Motion of <u>Charlie Smith</u> to appeal in forma pauperis, filed. g
8-18-70	Affidavit in support of motion to appeal in forma pauperis, filed. g
8-25-70	Approval of poverty affidavits with leave to proceed with appeal as defendants Jo Ann Chiles, N. J. Johnson, Elmer Gene Manuel and Charlie Smith, John Lee Johnson and Troy Newton, filed. (Frank G. Theis-Judge)g
8-25-70	Order for the original and eight (8) copies of transcript of testimony, filed. (Frank G. Theis, Judge) cc to Don Gibson and Larry Marks.
9-3-70	Return on non-service of writ, filed - John Hubert Thompson not found in Central District of California. b

(Continued on Page 11, Sheet No. 6)

D. C. 109 A
CRIMINAL DOCKET

Sheet No. 6

DATE	PROCEEDINGS
9-3-70	Writ of habeas corpus ad prosequendum returned, filed - Gene Manuel taken into custody a State Penitentiary at McAlester, Oklahoma on 3-13-70 delivered to Tulsa County Jail and returned to State Penitentiary at McAlester, Oklahoma on 8-24-70. b
9-3-70	Warrant for arrest of defendant James Kenneth Mays returned, filed - unserved at the request of U. S. Attorney. b
9-3-70	CC of J & C as to John Lee Johnson returned, filed - defendant delivered to Tulsa County Jail on 3-21-70 and to U. S. Penitentiary at Terre Haute, Indiana on August 27, 1970. b
9-3-70	CC of J & C as to Troy Newton returned, filed - defendant delivered to Tulsa County Jail on 3-21-70 and to U. S. Penitentiary at Terre Haute, Indiana on August 27, 1970. b
9-3-70	CC of J & C as to N. J. Johnson returned, filed - defendant delivered to Tulsa County Jail on 6-26-70 and to U. S. Penitentiary at Leavenworth, Kansas on August 26, 1970. b
9-4-70	Transcript of arraignment proceedings, Roy Milton Birmingham, filed. (LEM)
9-4-70	Transcript of proceedings on motion to reduce bail bond, Roy Milton Birmingham, 4-15-70, filed. (LEM-Rptr.)g
9-4-70	Transcript of proceedings on sentencing Roy Milton Birmingham, 6-5-70. (LEM-Rptr.)g
9-4-70	Appeal record (4 vols.)/sent to USCA. g
9-14-70	Order extending time to docket appeal to and including 11-11-70. (FGT-J)g
9-16-70	CC of J & C, returned & filed: defendant Charlie Smith delivered to USP, Leavenworth, KS. on 8-27-70. g
11-4-70 Cpy	Affidavit of Donald A. Gibson, for extension of time to file transcript to 12-11-70, filed. insUSCA, 10th Circuit.
11-9-70	USCA grants extension of time to 12-11-70 to docket appeal. g
12-4-70	Transcript of trial proceedings (orig. + 8 cpies) in 5 volumes, and of sentencing, filed. (Donald A. Gibson, CSR)g
12-10-70	Appeal record (orig. + 3 cpies) in 8 volumes, forwarded to USCA, Denver. g
12-21-70	J & C, returned & filed: defendant Jo Ann Chiles delivered to Terminal Island, California on 8-28-70. g
1-26-71	J&C, returned & filed. Deft. Elmer Gene Manuel transported from City Federal Jail, Muskogee, Okla. Okla. State Pen, McAlester, Okla. to City Federal Jail, Muskogee, Okla. to await further designation (12-22-70). Deft. delivered on 12-31-70 to U.S.P. at Leavenworth, Kansas. m
3-4-71	Mandate and Opinion of USCA, 10th Circuit, as to <u>Ernest Dean Sanders</u> , filed and spread of record; judgments and sentences are reversed and case remanded with instructions to vacate the plea of guilty and permit the defendant to plead anew. g
3-12-71	Order filed that USM to take defendant Ernest Dean Sanders from U.S. Pen. in Leavenworth, Kansas, and return him to Northern Judicial Dist. of Okla until such time as a new plea is had or until def. furnishes bond in sum of \$50,000. (Allen E. Barrow-Judge)h
3-12-71	Case set for Arraignment and plea as to Ernest Dean Sanders, on Wednesday March 17, 1971 at 10:00 A.M. (AEB-J)h
3-17-71	Def. <u>Ernest Dean Sanders</u> present in person and rep. by O.B. Graham. Atty Graham granted leave to withdraw as appointed counsel, and Rick Loewenherz appointed to replace him. Def. advised of charge, arraigned and enters plea of NOT GUILTY as to Cts. 1&2 of the Indictment, and case to be set on next jury docket. Bond of the def. to remain in amt of \$50,000. (AEB-J)h
3-25-71	Motion of Ernest Dean Sanders to reduce bail, with brief incorporated, filed. ds

DATE	PROCEEDINGS
3-25-71	Return on service of Order filed. Executed by taking defendant <u>Ernest Dean Sanders</u> from Fed. Pen. at Levenworth, Kan. and delivering him to Tulsa Co. Jail at Tulsa, Okla. On 3-51-71.(USM)h
4-9-71	Ordered by the Court that hearing be set for April 16, 1971 on Motion to Reduce Bond for Earnest Dean Sanders. (AEB-J)r
4-16-71	Defendant Earnest Dean Sanders present in person and represented by Rick Loewehnerz. Deft. granted a reduction of Bond from \$50,000. to a personal bond in the amount of \$2,500. Deft. is to contact his attorney once a week. (AEB-J)r
4-27-71	Appearance Bond of Ernest Dean Sanders, in the sum of \$2,500.00, filed.
4-27-71	Order specifying methods and conditions of release, filed. b
5-7-71	Personal appearance bond of Earnest Dean Sanders, in the sum of \$2,000.00, filed. b
5-7-71	Order Specifying methods and conditions of release, filed. b
5-25-71	It is ordered that at the request of the defendant, the <u>Indictment</u> as to the defendant, Earnest Dean Sanders is hereby dismissed. (AEB-J)h
6-11-71	Transcript of proceedings on 4-21-70, Change of Plea, <u>Ardie Ray Roberts</u> (in file of 70-CR-39) filed. (LEM-CSR)g
6-23-71	Return on warrant for arrest, filed. Returned unexecuted as to Gene Manuel upon receipt of J/C. m
10-7-71	Hearing held on 2255 in Case #71-C-185 as to deft. <u>Ardie Ray Roberts</u> . It is ordered by the Court that the plea of guilty entered by the deft. in 70-CR-40 is vacated & set aside & the deft. will re-plea on 10-12-71 at 10:00 a.m. Bond of the deft. to continue. (AEB-J)h
10-12-71	Def. <u>Ardie Ray Roberts</u> present in person and represented. Def. advised of his charge and arraigned and enters pleas of NOT GUILTY as to Cts.1&2, and granted 10 days to file motions. At request of govt, case passed to next jury docket.(AEB=J)h
10-8-71	Order of Dismissal (of Ernest Dean Sanders) (AEB-J) filed. js
11-3-71	Motion of <u>Ardie Ray Roberts</u> for disclosure of matters occurring before the Grand Jury, filed. g
11-3-71	Motion of <u>Ardie Ray Roberts</u> to furnish transcript of defendant's testimony at prior trial, filed. g
11-3-71	Affidavit in support of motion to furnish transcript of testimony, filed. g
11-3-71	Motion for discovery and inspection, filed. g
11-3-71	Brief in support of motion for discovery and inspection, filed. g
11-12-71	Case set for jury trial as to def. <u>Ardie Roberts</u> on Mon, 11-29-71 at 10:00am.(AEB-J)
11-15-71	Pltfs' Response to Motion for Discovery and Inspection, filed. r
11-15-71	Pltfs' Response to Motion for Inspection of Grand Jury Records and Proceedings, filed. r
11-17-71	Ordered by the Court that U.S. Magistrate conduct the hearing on following motions of deft. <u>Ardie Ray Roberts</u> : motion for disclosure of matters occurring before the grand jury and motion for discovery and inspection.(AEB-J)m
11-17-71	Case called for hearing on above-mentioned motions of deft. <u>Ardie Ray Roberts</u> . Deft. present and represented. Deft. counsel requests permission to file additional motions & permission granted to file them no later than 11-19-71. Deft. requests all motions be heard at the same time. It is ordered that deft's motion for discovery and inspection and deft's motion for disclosure of matters occurring before the grand jury are each passed & all motions filed will be heard on 11-22-71 at 9:30 a.m. Deft. requests permission to have visitor in jail, Elizabeth Jordan; govt. objects & request granted, provided visitation is only occasional & is done under supervision.(MLB-Mag)

(Millie Ballard-CSR)m

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
11-19-71	Motion of deft. <u>Ardie Ray Roberts</u> for order authorizing deft. to employ investigator at govt. expense, filed. m (with affidavit)
11-19-71	Motion of deft. <u>Ardie Ray Roberts</u> authorizing deft. to issue subpoena and subpoena duces tecum, filed. m (with affidavit and brief)
11-19-71	Motion of deft. <u>Ardie Ray Roberts</u> for change of venue from the district for trial, filed. (with affidavit)m
11-22-71	Ordered that U.S. Magistrate conduct the hearing on the following motions of deft. <u>Ardie Ray Roberts</u> : motion for disclosure of matters occurring before the Grand Jury, Deft.'s motion for discovery and inspection, motion for order authorizing deft. to employ investigator at Govt. expense, and motion authorizing deft. to issue subpoena and subpoena duces tecum. (AEB-J)v
11-22-71	Case called for hearing on above mentioned motions of <u>Ardie Ray Roberts</u> . Deft. present and represented. Deft.'s motion for disclosure of matters occurring before the grand jury denied; Deft.'s motion for discovery and inspection denied; motion for order authorizing deft. to employ investigator at government expense denied; and motion authorizing deft. to issue subpoena and subpoena duces tecum granted subject to rule 17, b & c. Govt. counsel to prepare order on motions. (MLB-U.S.Mag.) (Hearing on motions taped)v
11-23-71	Defendant <u>Ardie Ray Roberts</u> present in person and represented by Jms. Goodpaster, ct. appt. counsel. The govt. rep. by H.H. Bryant. Defendant's motions to furnish transcript of testimony at prior trial and motion for change of venue from the district for trial, are each withdrawn by defendant, and case dismissed as to <u>Ardie Ray Roberts</u> at request of government; Hubert H. Bryant to prepare proper order.(AEB-J)h
11-24-71	Dismissal of Indictment as to def. <u>Ardie Ray Roberts</u> filed & entered.(AEB-J)
1-5-72	Mandate of USCA reversing as to <u>Roy Birmingham</u> , with direction to vacate plea of guilty and permit him to plead anew, filed. g
1-5-72	Opinion of USCA as to all appellants, filed. g
1-6-72	Motion of <u>John Lee Johnson</u> for reduction of sentence, filed. g <i>to f. chiles</i>
1-7-72	Petition for Writ of Habeas Corpus Ad Prosequendum of <u>Roy M. Birmingham</u> , who is now in Leavenworth, Kansas, in the Fed. Prison, to be delivered for arraignment in Tulsa, Okla., on 1-18-72, filed. Ben F. Baker is U.S. Atty --Order and Writ, sent to Judge. v
1-11-72	Order granting writ of habeas corpus ad prosequendum, filed. (AEB-J) writ issued. ds
1-18-72	Defendant <u>ROY MILTON BIRMINGHAM</u> present in person and represented by T.B. Hendrix, appt. counsel. The govt. rep. by Ben F. Baker. Government move for dismissal granted by the court, and ORDER OF DISMISSAL AS TO <u>Roy Milton Birmingham</u> signed and filed and entered in open court.(AEB-J)h
2-14-72	Order denying motion pursuant to Rule 35, as to <u>John Lee Johnson</u> , filed. (Judge Frank G. Theis) ds copies mailed as per order.
2-14-72	Motion (letter) to shorten sentence, filed. ds (Troy Lee Newton)
2-14-72	Order denying motion pursuant to Rule 35 as to <u>Troy Lee Newton</u> , filed. (Judge Frank G. Theis.) ds copies mailed as per order
2-14-72	Motion (letter) to shorten sentence, filed. (Elmer Gene Manuel) ds
2-14-72	Order denying motion pursuant to Rule 35, filed. (Elmer Gene Manuel) (Judge Frank G. Theis) ds copies mailed
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>Jo Ann Chiles</u> , filed and spread of record. g

DATE	PROCEEDINGS
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>JOHN LEE JOHNSON</u> , filed & spread of record. g
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>N. J. JOHNSON</u> , filed & spread of record. g
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>ELMER GENE MANUEL</u> , filed & spread of record. g
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>TROY NEWTON</u> , filed & spread of record. g
2-25-72	Mandate & Opinion of USCA affirming judgment of 8-10-70 as to <u>CHARLIE SMITH</u> , filed & spread of record. g
4-7-72	Writ of H/Corpus Ad Prosequendum, ret. & filed: <u>Roy Milton Birmingham</u> delivered to USM, Tulsa, Ok. 1-16-72, and deft. <u>Birmingham</u> released on 2 yrs. prob. 1-18-72
4-10-72	Appeal record sent to Supreme Ct. at direction of USCA, 10th Circuit. g
4-24-72	Reporter's Transcript of Proceedings had on 6-5-70, Arraignment and Plea, concerning the Deft.s - <u>Luther Vernon Francis</u> and <u>Elizabeth Francis</u> , taken by <u>Larry E. Marks</u> , CSR, filed. v
4-28-72	Hearing held on Motions pursuant to 28 U.S.C. 2255. Pltf. present and not rep.-Pat Malloy stands in for Pltf.'s atty. 2255 Motions are vacated-(concerning <u>Luther Vernon Francis</u> and <u>Elizabeth Ann Francis</u>) along with rulings and pleas in this case, regarding the above mentioned people. <u>LUTHER VERNON FRANCIS AND ELIZABETH ANN FRANCIS</u> are permitted to re-plea in this case, which is set for Arraignment on May 9, 1972, at 10:00 A.M. Bonds are to remain at \$35,000.00, each, cash or surety. Court appoints new counsel: <u>Frank Greer</u> for <u>Luther Vernon Francis</u> , and <u>James Langley</u> for <u>Elizabeth Ann Francis</u> . Both Deft.s are remanded to the U.S. Marshal. (AEB-J)v Defendants <u>LUTHER VERNON FRANCIS AND ELIZABETH FRANCES</u> each present in person and each represented. Def. <u>Luther</u> rep. by <u>Frank Greer</u> , appt. counsel, and def. <u>Elizabeth</u> rep. by <u>Jms. Langley</u> , appt. counsel. Cases as to each def. dismissed at request of government. Orders of dismissal signed and filed in open court. (AEB-J)h
6-15-72	Certiorari denied by Supreme Court as to <u>Jo Ann Chiles</u> , et al. (Ltr. from USCA.)g
6-26-72	Appeal record (8 vols.) received from Supreme Court. g
7-5-72	Notice of motion for a new trial on newly discovered evidence by def. <u>ELMER GENE MANUEL</u> , filed. rm
7-5-72	Motion of def. <u>ELMER GENE MANUEL</u> for a new trial on newly discovered evidence, filed. rm (copies to U.S.D.A. and Judge Theis)
7-6-72	Notice of motion for a new trial newly discovered evidence, filed by <u>CHARLIE SMITH</u> . rm
7-6-72	Motion for a new trial on newly discovered evidence filed by <u>CHARLIE SMITH</u> . rm (Copies to U.S.D.A. and Judge Theis)
7-14-72	Defendant <u>Troy Lee Newtons</u> 's request for minutes of trial and transcripts, filed. ds (to Judge Theis)
10-19-72	Order denying motion for transcript, filed. (of deft. <u>Troy Lee Newton</u>) (Frank G. Theis=Judge)hm (copies mailed deft. & U.S. Atty.)
12-1-72	Motion to proceed to trial and judgment, made pursuant to Rules 40; 54; and 81(a)(2), FRCP, filed by <u>ELMER GENE MANUEL</u> . rm (copies to US Atty and J.Theis)
12-20-72	Petition for writ of Habeas Corpus Ad Testificandum, re <u>Elmer Gene Manuel</u> , <u>Charlie Smith</u> , and <u>N. J. Johnson</u> , filed. rm - Order to J. Barrow
12-20-72	Order granting writ. (AEB-J) rm
12-20-72	Writ issued. rm
12-20-72	Petition for writ of Habeas corpus ad testificandum, re <u>Robert L. Alexander</u> , filed.
12-20-72	Order granting writ. (AEB-J)rm
12-20-72	Writ issued. rm

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
1-4-73	Marshal's return on writ of hc ad testificandum, re ALEXANDER, filed. Returned unserved and unexecuted.
1-19-73	Petition for writ of hc ad testificandum, re ALEXANDER, filed. rm
1-19-73	Order granting writ of H.C. ad testificandum, filed. (AEB-J)r
1-19-73	Writ issued. rm
1-22-73	Order, filed, that U.S. Court Clk's Off. issue Criminal Subpoenas to Witness, Leonard Cecil Jones, to testify on behalf of N.J. JOHNSON, on 1-22-73, at 1:30 P.M., in U.S. Courthouse, in Tulsa, Okla. (EG.Theis-J)v
1-22-73	Evidentiary hearing and hearing on motions for new trial of defts. Charlie Smith, Elmer Gene Manuel and N. J. Johnson and Robert Alexander held on Jan. 22 & 23rd. Defts. present and represented. Hearing continued to future date for testimony of Leonard Cecil Jones, fugitive, as a material witness. Bench warrant to issue for Jones and Court sets his bond at \$5,000.00 cash or surety. Pltf's exhibits 1,2,3,4,5&6 offered and admitted.(Frank G. Theis-J)(Don Gibson-CSR)(Jack Crawley-Min.Clerk)hm
1-23-73	Exhibits, filed. hm
1-23-73	Bench warrant for Leonard Cecil Jones issued. hm
1-29-73	Return on warrent for arrest of witness, filed. Executed same by arresting Leonard Cecil Jones on 1-29-73 at Tulsa, Oklahoma. jj
1-29-73	Return on Subpoena to Testify filed. Served Leonard Cecil Jones on January 22, 1973, in Tulsa, Oklahoma. (fees: \$5.36)jj
1-29-73	Return on Writ of Habeas Corpus Ad Testificandum filed. Executed by assuming custody of Robert Lee Alexander at Oklahoma State Penitentiary bringing him to Tulsa for court proceedings and returning him to Oklahoma State Penitentiary on 1-26-73.jj
1-29-73	Case set for continued evidentiary hearing on motions for new trial of defts. Charlie Smith, Elmer Gene Manuel & N. J. Johnson Weds. 1-31-73 at 9:30 a.m. (Frank G. Theis-J)hm
1-31-73	Continued evidentiary hearing held, and hearing on motions for new trial of defendants Charlie Smith, Elmer Gene Manuel and N.J. Johnson. Parties present and represented. Statement filed of Elmer Gene Manuel allowing Ainslie Perrault, atty to represent im in absence of Rick Lowenherz, attorney. Parties rest. Witness Leonard Cecil Jones released after testimony at request of defendant-petitioners. It is adjudged that motions for new trial of defendants are each taken under advisement. (Frank G. Theis-J) (Don Gibson-CSR)(Jack Crawley-Min Clerk) h
2-26-73	Application of deflt. <u>John Lee Johnson</u> to proceed without prepayment of costs and affidavit in support therefore, filed. hm <i>orig to Theis w. order</i>
2-26-73	Motion for new trial of deflt. <u>John Lee Johnson</u> , filed. hm <i>Copies</i>
2-26-73	Brief in support of motion for new trial of deflt. <u>John Lee Johnson</u> , filed. hm <i>Theis + US Atty</i>
2-26-73	Application of deflt. <u>Troy Newton</u> to proceed without prepayment of costs, and affidavit in support therefore, filed. hm <i>orig to Theis w. order</i>
2-26-73	Motion for new trial of deflt. <u>Troy Newton</u> , filed. hm <i>Copy to Theis + US Atty</i>

(over)

DATE	PROCEEDINGS
2-26-73	Brief in support of motion for new trial of deft. <u>Troy Newton</u> , filed. hm
3-1-73	Order, filed (part of application), granting petitioner <u>Troy Newton</u> permission to proceed without prepayment of fees. (FGT-J)hm
3-1-73	Order, filed (part of application), granting petitioner <u>John Lee Johnson</u> permission to proceed without prepayment of fees. (FGT-J)hm
6-29-73	Order overruling motions for new trial, filed and entered, that motions of defts. Elmer Gene Manuel, Charlie Smith and N. J. Johnson for a new trial on the basis of newly discovered evidence are overruled and denied. (Frank G. Theis-Judge)(copies mailed counsel & defts.)hm
7-6-73	Notice of Appeal, filed by Deft. <u>N.J. Johnson</u> , (Deft. is an indigent). Notice of appeal also requests for the Tenth Circuit to appoint an attorney to represent Deft. in the Appellate Court. v
7-9-73	Ltr/motion of <u>MANUEL</u> , <u>SMITH</u> & <u>N. J. JOHNSON</u> for ext. of time to file notice of appeal and/or pet. for rehearing, filed. w/attached mo/for ext. of time, filed. rm (copy w/notice of appeal of Johnson to Judge Theis)
7-13-73	Ltr. fr. Judge Theis re communications w/N.J. Johnson and his motion for new trial, filed, (w/attached unfiled ltr. from Johnson to Judge Theis) rm
8-1-73	Motion for extension of time to file the record, as to Deft., <u>N.J. Johnson</u> , filed. v
8-1-73	Order, filed, extending time to file record on appeal until 10-3-73. (FGT-J)v
8-27-73	Order granting Elmer Gene Manuel and Charlie Smith until 9-5-73 to file notices of appeal, filed. (FGT-J)g
8-27-73	Notice of appeal by CHARLIE SMITH from order of 6-29-73, filed. g
8-27-73	Motion of CHARLIE SMITH for leave to appeal in f.p., affidavit of indigency, filed. g
8-27-73	Designation of appeal record by CHARLIE SMITH, filed. g
8-30-73	Order overruling motions of TROY NEWTON and JOHN LEE JOHNSON for a new trial, filed and entered. (FGT-J)g
9-5-73	Mot. of <u>Elmer Gene Manuel</u> for reconsideration of application for a re-hearing and/or alternative notice of appeal and motion for leave to proceed in forma pauperis, filed. g
9-5-73	Mot. of Elmer Gene Manuel for transmission of records on appeal, filed. g
9-5-73	Mot. of Elmer Gene Manuel for leave to proceed on appeal in forma pauperis and for appointment of counsel, filed. g
10-2-73	Order overruling mot. of Elmer Gene Manuel for reconsideration of order denying his motion for new trial, and construing motion in the alternative to be a <u>notice of appeal</u> , filed. (FGT-J) cpy to USCA, US Atty & Manuel.
11-6-73	Transcript of hrg. on motion for new trial held 1/22/73, filed.rm (Donald A. Gibson, CSR) P.O. Box 205, Wichita, Kan.
11-6-73	Transcript of contd. hrg. on motion for new trial held 1/31/73, filed.rm(D.Gibson)
11-8-73	Appeal record (re Manuel, Smith & Johnson) in 3 volumes, to USCA. rm

D. C. 109A
CRIMINAL DOCKET

DATE	PROCEEDINGS
6-24-74	Mandate & Opinion of USCA affirming judgment of 6-29-73 as to Elmer Gene Manuel, filed and spread of record. g
6-24-74	Mandate & Opinion of USCA affirming judgment of 6-29-73 as to Charlie Smith, filed & spread of record. g
6-24-74	Mandate & Opinion of USCA affirming judgment of 6-29-73 as to N. J. Johnson, filed & spread of record. g
6-24-74	Appeal record (3 vols.) rec'd from USCA. g
3-27-75	Memorandum and Order (Case No. 74-C-354, Re Elmer Gene Manuel), filed and entered, that motion to vacate, set aside or correct sentence, be and the same is hereby, denied; that J&C Order of 8/10/70, re Manuel, be corrected by deleting those portions of the Order which indicate that petitioner is to receive credit on his federal sentence for the period of time he was held by U. S. Marshal for purposes of his federal trial. (Frank G. Theis-Judge) rm - copies mailed to Manuel, U. S. Attorney, U. S. Marshal and Warden at Leavenworth, Kansas.
3-18-80	MAGISTRATE PAPERS added to file , appt. of counsel re: parole violator hrg. before Parole comm. ho re: Deft. Manuel.

DATE	PROCEEDINGS

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET NO. 1 CASE NO. 50
THE UNITED STATES
vs.

EARNEST DEAN SANDERS

Complaint filed on April 21, 1971, by James A. Rose
Official title Special Agent, BNDD, charging violation of
United States Code, Title 26, Section 4704(a), on June 15
1968, at Tulsa, Oklahoma in the
division of the Northern district of Oklahoma
as follows: Did purchase, not in the original stamped
package and not from the original stamped package,
a narcotic drug, that is, approximately one-half
(1/2) gram of Herion Hydrochloride

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date April 21, 1971 Warrant/Summons for Earnest Dean Sanders
to (name and title of officer) U. S. Marshal or any other authorized person (Name of defendant)
Substance of return

Date _____ Warrant/Summons for _____
to (name and title of officer) _____ (Name of defendant)
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE: JOHN H. POE, Clerk
U. S. DISTRICT COURT on warrant of Morris L. Bradford
Date April 30, 1971 Arrested by Walter Conley (Name of issuing officer)

Appearances { for United States Ben Baker (Name) _____ (Address) _____
for accused None (Name) _____ (Address) _____

Proceedings taken Defendant was advised of the Complaint filed against him and

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
the charges contained therein; defendant was informed of his right of counsel at
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived."
this hearing and subsequent hearings and for the purpose of this hearing, the de-
if that is the fact; any adjournments taken, etc.
fendant in open court waived counsel and executed Waiver. Defendant was advised
of his right to a preliminary hearing and after full explanation of rights, the
defendant in open court waived his right to a preliminary hearing. On recom-
mendation of the Assistant U. S. Attorney the defendant was permitted to execute
his own bond in the amount of \$2,000.00 and was ordered to appear in the U. S.
District Court for the Northern District of Oklahoma when directed.

Outcome Defendant released from custody upon execution of Bond.

Bail fixed April 30, 19 71 Amount, \$ 2,000.00 Bonded _____, 19 _____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19 _____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19 _____, [or] committed to _____
on _____, 19 _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

(Not to be used if case was disposed of at first presentation)

United States (Name) _____
 (Address) _____
 Accused (Name) _____
 (Address) _____

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19 _____
 Proceedings taken _____

Outcome _____
 Bail fixed _____, 19 ____ Amount, \$ _____ Bonded _____, 19 ____, by cash _____
 Deposited by (name) _____ Address _____
 Committed to clerk of district court _____, 19 ____
 by surety (names) _____ Address _____
 _____ Address _____
 Justified by affidavit _____, 19 ____ Committed to _____
 _____, 19 ____

Certified to be a correct transcript.

Made this 30th day of April, 19 71

Transmitted to Clerk of United States District Court for the **Northern**
district of **Oklahoma** **April 30**, 19**71**

United States Magistrate.

RECORD OF PROCEEDINGS—MISCELLANEOUS

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify non-payment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

~~U. S. DISTRICT COURT~~

[illegible]

DATE

Certified to be a correct transcript of Docket Entries.

Dated April 16, 19 71

Man PB 007
United States Commissioner
Magistrate

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Bradford, U. S. Court House, Tulsa, Oklahoma
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Commissioner's

Docket No. 1, Case No. 60

United States of America

Robert Lee Alexander ^{vs.}


70-CR-50

U.S.C. Title 21, Section 174

(Nature of proceeding)

INDICTMENT

M. M. EWING, CLERK
U. S. DISTRICT COURT

DATE	
3/17/70	Defendant, Robert Lee Alexander, appeared before me, the undersigned, this date for the sole purpose of posting bond. Defendant advised that his bond was fixed in the amount of \$50,000.00 cash or surety. Defendant advised of right to counsel and requested court appointed counsel. Defendant committed to U. S. Marshal in lieu of bond.
	
	Morris L. Bradford U. S. Commissioner Northern District of Oklahoma

UNITED STATES COMMISSIONER
~~Northern~~ DISTRICT OF ~~Oklahoma~~

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Davidson, U.S. Court House, Tulsa, Okla.
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding showing the title of the case, its nature, and the date and nature of each step taken.

FILED
18269
MAR 3 1970

Commissioner's

Docket No. _____, Case No. 37

~~United States of America~~

vs.

~~Earnest Dean Sanders~~


M. M. EWING, CLERK
U. S. DISTRICT COURT

~~70-6740~~

~~USC Title 21 Sec. 174~~

USC Title 26 Sec. 4705 (a)
(Nature of proceeding)
and 7327 (b)

Indictment

DATE	
2-26-70	<p>Defendant, Earnest Dean Sanders, appeared before me the undersigned this date for the sole purpose of posting bond. Defendant advised that his bond was fixed in the amount of \$50,000.00 cash or surety. Defendant advised as to his right to Counsel and requested Court appointed counsel. Defendant committed to the U.S. Marshall in lieu of bond.</p> <div data-bbox="1062 1612 1661 1856"> Morris L. Bradford Morris L. Bradford U.S. Commissioner Northern District of Oklahoma</div>

[illegible]

DATED March 3, 1970

United States Commissioner

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Bradford, U. S. Court House, Tulsa, Oklahoma
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Commissioner's

Docket No. 1, Case No. 59

United States of America

Robert Lee Alexander ^{vs.}

70-CR-40

U.S.C. Title 21, Section 174

U.S.C. Title 26 Sections 4705(a) and 7327(b)
(Nature of proceeding)

INDICTMENT


FILED
17,285
MAR 19 1970

DATE	M. M. EWING, CLERK U. S. DISTRICT COURT
3/17/70	Defendant, Robert Lee Alexander, appeared before me, the undersigned, this date for the sole purpose of posting bond. Defendant advised that his bond was fixed in the amount of \$50,000.00 cash or surety. Defendant advised of right to counsel and requested court appointed counsel. Defendant committed to U. S. Marshal in lieu of bond.
	<u>Morris L. Bradford</u> U. S. Commissioner Northern District of Oklahoma

RECORD OF PROCEEDINGS—MISCELLANEOUS

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

FILED
17,285
MAR 19 1970

DATE	M. M. EWING, CLERK U. S. DISTRICT COURT
3/17/70	Defendant, Robert Lee Alexander, appeared before me, the undersigned, this
	date for the sole purpose of posting bond. Defendant advised that his bond
	was fixed in the amount of \$50,000.00 cash or surety. Defendant advised
	of right to counsel and requested court appointed counsel. Defendant
	committed to U. S. Marshal in lieu of bond.
	
	Morris L. Bradford
	U. S. Commissioner
	Northern District of Oklahoma

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Morris L. Bradford, U. S. Court House, Tulsa, Oklahoma
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Commissioner's

Docket No. 1, Case No. 57

United States of America

Elmer Gene Manuel ^{vs.}

70-CR-40

U.S.C. Title 21, Section 174

U.S.C. Title 26, Sections 4705(a) & 7327(b)

(Nature of proceeding)

INDICTMENT

FILED
 17,269
 MAR 17 1970

DATE	
3/16/70	Defendant, Elmer Gene Manuel, appeared before me the undersigned this date for the sole purpose of posting bond. Defendant advised that his bond was fixed in the amount of \$50,000.00 cash or surety. Defendant advised of his right to counsel and requested court appointed counsel. Defendant committed to U. S. Marshal in lieu of bond.
	<u>Morris L. Bradford</u> Morris L. Bradford U. S. Commissioner Northern District of Oklahoma

M. M. EWING, CLERK
 U. S. DISTRICT COURT

[illegible]

DATED _____, 19____